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PATENT
KEL01 P-145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Steven J. Cotroneo
Group : 3733
Applicant : Patrick Leahy
Serial No. : 10/553,941
Filing Date : October 20, 2005
For : A DEVICE AND METHOD FOR USE IN SURGERY
Customer No. : 28101


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I certify that the attached return postal card, Response to the Office Action of January 27, 2010, and Claims as Amended Form are being deposited with the United States Postal Service via First Class Mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on April 26, 2010.


Donald S. Gardner
Reg. No. 25 975
Van Dyke, Gardner, Linn & Burkhardt, LLP
2851 Charlevoix Drive, S.E.
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5502

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Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick Leahy
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Group Art Unit: 3733
Examiner : Steven J. Cotroneo

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above identified application.
The fee has been calculated as shown below:

CLAIMS AS AMENDED

Col. 1	Col. 2	Col. 3	Small Entity		Other Than Small Entity			
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total Claims	* 20	Minus	** 20	= 0	x \$26	\$.00	x \$52	\$.00
Independent Claims	* 1	Minus	*** 3	= 0	x \$110	\$.00	x \$220	\$.00
First Presentation of Multiple Dependent Claims \$195						\$.00	x \$390	\$.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$		\$.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 6
a prior amendment or the number of claims originally filed.

1. ☒ Small entity status of this application 37 CFR 1.9 and 1.27 has been previously established.
2. ☒ No additional Fee is required.
3. ☐ A check in the amount of ~~200.00~~ is attached.
4. ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 22-0190. A duplicate copy of this sheet is attached.

VAN DYKE, GARDNER, LINN & BURKHART, LLP

Date: APRIL 26, 2010

By Donald S. Gardner
Donald S. Gardner
Registration No. 25 975
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